

UNCLAS SECTION 01 OF 04 LIMA 003643

SIPDIS

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G/TIP for Linda Brown
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E.O. 12958: N/A
TAGS: PHUM PGOV PE
SUBJECT: Peru: TIP Update

REF: A) Human Rights Report 2004

B) Lima 6144 '03

¶11. The following report traces GOP actions against Trafficking in Persons (TIP) and TIP-related events in Peru for the first half of 2005. The GOP continues to move against TIP. Nonetheless, as Peru advances from an initial strong start against human trafficking, the hard work of building institutions and ensuring that laws are enforced will challenge the GOP. Embassy is continuing efforts to ensure that the GOP understands that TIP is a critical bilateral issue.

¶12. The following TIP-related developments took place during the first half of 2005:

Legal/International Commitments:

-The Foreign Ministry held a TIP Conference that focused on trafficking to Japan and on the draft TIP law, which is still being discussed in Congress. (paras 3-5)

-Two Peruvian NGOs released detailed, empirical studies of TIP in Peru. One of the studies was financed by a grant from State PRM. (paras 6-7)

New Anti-TIP Initiatives:

-The GOP is undertaking a multi-sectoral effort to fight child prostitution in high-tourism areas. (para 8-10)

-The Women's Ministry is creating a special shelter in Lima for underage victims of prostitution. (para 11)

-Embassy RSO engages in fight against Internet Child Pornography. (para 12)

TIP Enforcement:

-Raids/Arrests against domestic and international TIP. (paras 13-15)

Past Cases, Projects:

-Peruvian TIP Victims from Japan. (para 16)

-INL-financed projects. (para 17)

Foreign Relations Ministry Hosts TIP Conference

¶13. On April 28-29, the Ministry of Foreign Affairs hosted an OAS-sponsored conference on trafficking in persons attended by the U.S. Ambassador, the Attorney General, the Foreign Minister and representatives of the OAS and the Government of Japan. During the conference, MFA Vice Minister (now Foreign Minister) Oscar Maurtua announced the establishment of hot lines for trafficking victims in Peruvian Embassies and consulates. The hot lines supplement information campaigns that the Foreign Ministry has already established to warn travelers about the dangers of trafficking. Attorney General Nelly Calderon noted that the Justice Commission of the Congress is working on a new law on trafficking in persons to fulfill Peru's commitments under the Palermo Protocol.

Ministries Hold Line on TIP Law

¶14. The content of the draft TIP law being considered by Congress has inspired debate within the GOP, according to Women's Ministry (MIMDES) Coordinator for International Issues Ilian Hawie. In a recent meeting, Hawie told Poloff that Congress had sent MIMDES, the Justice Ministry and the Interior Ministry (MINT) copies of the draft law. Members of the Congress' Justice Commission had apparently watered down the original draft provided by the Justice Ministry several months ago.

15. Hawie said the Congressional version of the TIP law defined human trafficking as an activity motivated exclusively for economic reasons, where the original version sent by the Justice Ministry had recommended a definition stating that trafficking could occur for economic reasons or for "any other benefit." The broader definition would include, for example, illegal adoptions, child smuggling, or other forms of exploitation where cash does not change hands. Hawie noted that the three Ministries consulted - MIMDES, MINT, and the Justice Ministry - returned the draft to Congress with strong critical comments. MIMDES is also recommending that the law establish a protection fund for witnesses in TIP cases. Hawie predicted that Congress would ultimately accept the recommended changes. Otherwise, Peru could not meet its TIP commitments under the Palermo Protocol.

NGOs Offer Base-Line Studies of TIP in Peru

16. The International Migration Organization and the Movement El Pozo, an anti-trafficking NGO, presented a study of trafficking to the Congress on March 18. The study, financed by a grant from State Department PRM, stated that eight of every ten sex trafficking victims in Peru is a victim of domestic trafficking. (Note: The proportion of international TIP victims strikes us as high, when one considers TIP in all its modalities - i.e. forced domestic labor, child labor, etc. The OIM study focused on victims of sexual exploitation. End Note) It concluded that trafficking is centered in Lima and Cusco, but other areas are also involved, most notably mining and logging regions. Traffickers target young girls from poor families, often using a combination of coercion and emotional manipulation to lure them into prostitution. The top destinations of foreign trafficking from Peru are: the U.S., Europe and Japan.

17. The Women's Organization Flora Tristan issued a study similar to the IOM's on May 19. The investigation, financed by the German Government, focused on eight cities in Peru. The study emphasized domestic trafficking and, in particular, the role that local employment agencies play in recruiting trafficking victims among poor young women from rural areas by offering relatively well paid "restaurant work" in cities like Lima and Cusco - or, in some cases, in foreign countries. Both Flora Tristan's and the IOM study offered public baselines for developing responses to trafficking. Their contents and conclusions were heavily covered in the local press.

GOP, ILO, NGOs Fight Child Prostitution

18. ILO reps have praised the Women's Ministry for the leadership role that it has assumed regarding child commercial sexual exploitation (CCSE). MIMDES is coordinating the activities of various NGOs to combat CCSE in Iquitos, a popular Amazon tourist spot where child prostitution is a serious problem. MIMDES has brought together local police, judges, NGOs and others into a campaign against CCSE. In April, MIMDES sponsored a seminar which approved an Intervention Model for Police operations against this crime.

19. The ILO is financing a Referral Center in Iquitos for TIP victims as a complement to the MIMDES-led campaign. The ILO is also participating in a publicity effort organized by MIMDES and the Tourism Ministry (MINCETUR) to promote awareness of CCSE in anticipation of the San Juan Festival, a time when many tourists visit Iquitos. MINCETUR kicked off its part of the program on 6/22. Targeting foreign tourists, MINCETUR has provided domestic airlines with an in-flight video and is distributing flyers at airports that warn tourists that sex tourism can result in lengthy prison sentences under Peruvian law.

10. To reinforce the development of much-needed TIP and CCSE-specific arrest procedures called for in the Intervention Model approved for Iquitos, the Ministry of the Interior (MINT) and the ILO have agreed to co-sponsor a training program for Police on CCSE. This will take place in six cities (Lima, Iquitos, Cusco, Tarapoto, Chiclayo, Tacna) from August to November. An NGO specialized in this area will carry out the training, and the course will be certified by the Peruvian National Police (PNP) official Training Program.

11. Recognizing the specific needs of TIP victims, MIMDES is creating a special pilot center for underage street prostitutes in Lima. Similar facilities are planned for Puno, Chiclayo, and Pucallpa. The 30-person shelter will be located inside a larger existing facility for abandoned children. (Note: MIMDES is following the example of the Sisters of Adoration, who have been running a similar

operation in Callao in cooperation with the GOP for several years. End Note.)

Internet Child Pornography

¶ 12. Poloff and A/RSO met with the Foundation of Disappeared Peruvians (FPD) in April to discuss Internet pornography. The FPD has been regularly finding and denouncing Internet porn websites in Peru. FPD software indicates that some of these sites have connections to the U.S. Unfortunately, denunciation is an ineffective practice, since pornographers simply move to another site. The FPD has agreed to provide information on porn websites connected to the U.S. to RSO for forwarding to Washington agencies for possible action. (Note: Since 2004, Peruvian Law has required Internet cafes to take measures to prevent children from being exposed to Internet pornography. Enforcement of the law is incomplete. End Note.)

TIP Enforcement: Domestic Trafficking

¶ 13. Peru has new laws protecting children from sexual exploitation and punishing both the pimps and clients of underage prostitutes. The Police have begun to act on these statutes. The following is not meant to be exhaustive, but representative of recent enforcement actions taken against both domestic and international traffickers in Peru.

-- PNP officers rescued four women, three of them adolescents, from a site in downtown Lima on 2/17. The four had been lured to the capital through promises of jobs, but on arrival found themselves held captive and expected to work as prostitutes. One of the women managed to e-mail a friend and ask for help. Police arrived and arrested the two men who had held the women captive.

-- PNP officers from the Anti-Kidnapping Division arrested Rosa Elvira Mendieta Aton on March 4 in Lima. Mendieta Aton is accused of running a scheme to capture, drug, and turn young girls and over to male clients for exploitation as prostitutes. According to press reports, she recently turned a 13-year old girl to two men in return for 80 soles (approximately USD 25). The men then raped and abused the young girl. The girl's mother went to the police. The police arrested the two men along with Mendieta Aton.

-- During July, Police also carried out a series of raids against clandestine brothels in Huanuco, Chosica, and Huachipa. In the last area, a community near Lima, the PNP encountered a number of underage women.

¶ 14. Comment: The increased tempo of regular raids by Police against clandestine brothels, where underage women frequently work, interrupts criminal activity and keeps TIP's profile raised with local media. At the same time, raids alone are not enough. Police operations must be accompanied by proper management and identification of underage women found and follow-up prosecutions. Peru has received a grant to design a tracking system for enforcement activities, including prosecutions and sentences. End Comment.

International Trafficking

¶ 15. PNP officials at Lima's Jorge Chavez International Airport detained 84 year old Zoila Gregoria Aguirre, when she tried to board an airplane for Miami in the company of a minor whom she said was her grandchild. Authorities found that the child's passport belonged to a different person. According to local press reports, Gregoria Aguirre planned to sell the child in the United States.

Follow-Up on Peruvians Trafficked to Japan

¶ 16. Post has continued to follow the cases of two Peruvian women trafficked to Japan in the late 90s (Ref A).

-- Adelaide Nunez, a TIP victim trafficked to Japan, returned to Peru in January, her trip paid for by the Peruvian Government. Post attempted to interview her, but she informed both GOP reps and local NGOs that she did not wish to speak about her experiences. She has apparently found a job and has re-established herself in Lima.

-- Trafficking victim Irene Oblitas, whose identity was revealed against her wishes by journalists in April 2004, called Poloff from Ecuador on 8/9 and informed him that she was returning to Peru. Oblitas had been seeking third country asylum because she feared Yakuza retribution after

her case became public. She remains interested in obtaining custody of her children, who are in a state orphanage. Post has communicated its interest in this case - described in detail in last year's Human Rights Report - to the appropriate Peruvian authorities.

Work on INL-Financed Projects Begins

¶17. INL resources are now going to three NGOs to carry out anti-TIP projects in Peru. Work has started on a statistics-based tracking system for TIP cases, training for officials, and public education.

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